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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,256	08/16/2001	Kunihiko Koike	Q65354	2035

7590 07/21/2004  
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3213

EXAMINER

LE, VU

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 07/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/930,256

**Applicant(s)**

KOIKE, KUNIHIKO

**Examiner**

Vu Le

**Art Unit**

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Murphy, US 6,564,380.

Re claim 1, Murphy discloses an on-demand camera relay method (figs. 1-2,5,8, Summary Of The Invention), comprising the steps of:

providing a plurality of video cameras (214,216, col. 7, lines 62+), each having remotely operable directional devices (228, col. 9, line 66 to col. 10, line 36, col. 14, lines 47-67), and an audio input device in front of a stage or field (212, col. 8, lines 2-16, in this segment, the wireless microphones are displaced to record audio at a live event, thus, a stage or field is inherent);

transmitting an output from the plurality of cameras and from the audio input device to a plurality of viewers via a broad band electronic communication circuit network (col. 6, line 64 to col. 7, line 29, col. 7, line 62 to col. 8, line 55); and

allowing each viewer to operate said directional devices using a receiving device each viewer has which displays the transmitted images and sound (col. 14, line 50 to col. 14, line 67).

Re claim 2, Murphy discloses the same on-demand camera relay device, comprising a plurality of video cameras which can be remotely operated via communication circuits (figs. 1-2, 5, 8). Also, the claim has been analyzed and rejected with respect to claim 1 above.

Re claim 3, the on-demand camera relay device..., comprising:

a plurality of units, each of which comprises a camera which has a lens part and an image-capture element (fig. 2: 214,216, col. 7, lines 62+, in this segment, the video camera inherently has a lens part and an image-capture element);

a remotely operable directional device, on which the camera is mounted so as to make it possible to point the camera in an arbitrary direction (228, col. 9, line 66 to col. 10, line 36, col. 14, lines 47-67, in this segment, the video cameras can be directionally controlled to pan, zoom, tilt, rotate, track, etc..., thus they inherently have to be mounted on directional control devices); and

a signal processing part connected to the camera and having an output circuit to process electrical signals from the camera (228, 230, col. 8, lines 8-14).

Re claim 4, the on-demand camera relay device..., wherein said camera and said output circuit are provided separately and are connected by a cable (fig. 2, in this illustration, cameras 214,216 are separately provided from A/D 230 and computer 228. A cable connection is inherent and would have necessitated).

Re claim 5, the on-demand camera-relay device..., wherein said units further comprise remotely operable audio input devices (col. 13, lines 50-61).

Re claim 6, the on-demand camera relay device..., wherein said units are connected to receiving devices which output images for viewers in a one-to-one relationship (col. 13, lines 50-61, in this segment, video-on-demand of live event implies one-to-one relationship, thus such relationship is inherent).

Re claim 7, it has been analyzed and rejected with respect to claim 5 above.

Re claims 8-10, they have been analyzed and rejected with respect to claim 6 above.

### **Contact**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu Le whose telephone number is 703-308-6613. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

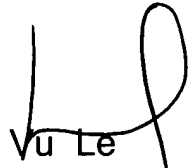
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Vu Le', with a stylized loop at the end.

Primary Examiner

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